

10/507129

DT15 Rec'd PCT/PTO 10 SEP 2004

PATENT

Customer No. 22,852

Attorney Docket No. 03419.0023-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

In re Application of:)
)
Satoshi SAITO et al.) Group Art Unit: Not Assigned
)
Application No.: Not Assigned) Examiner: Not Assigned
)
Filed: September 10, 2004)
)
For: METHOD OF CONTROLLING)
ETHANOL PRODUCTION AND)
MASS PRODUCTION OF LACTIC)
ACID AND TRANSFORMANT)
THEREFOR)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449 and cited in the enclosed International Search Report. This Information Disclosure Statement is being filed with the above-referenced application.

Copies of the listed documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed

documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 10, 2004

By: 

Michael R. Kelly
Reg. No. 33,921

INFORMATION DISCLOSURE CITATION

DT15 Rec'd PCT/PTO 10 SEP 2004

Atty. Docket No.	03419.0023-00	Appln. No.	Not Yet Assigned
Applicant	Satoshi SAITO et al.		
Filing Date	September 10, 2004	Group:	Not Yet Assigned

U.S. PATENT DOCUMENTS							
Examiner Initial*		Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	"Development of Metabolically Engineered Saccharomyces cerevisiae Cells for the Production of Lactic Acid", Danilo Porro et al., Biotechnol. Prog., pages 294-298, 1995.
	"Analysis of the primary structure and promoter function of a pyruvate decarboxylase gene (PDCI) from Saccharomyces cerevisiae", Elkc Kellermann et al., Nucleic Acids Research, Volume 14, Number 22, 1986.
	"Modification of Metabolic Pathways of Saccharomyces cerevisiae by the Expression of Lactate Dehydrogenase and Deletion of Pyruvate Decarboxylase Genes for the Lactic Acid Fermentation at Low pH Value", Eri Adachi et al., Journal of Fermentation and Bioengineering, Vol. 86, No. 3, 284-289, 1998.
	"Modification of Pig Heart Lactate Dehydrogenase with Methyl Methanethiosulphonate to Produce an Enzyme with Altered Catalytic Activity", D.P. Bloxham, Biochemical Journal, 161, 643-651, 1977.
	"Primary Structure of Bovine Lactate Dehydrogenase-A Isozyme and its Synthesis in Escherichia Coli", Naotaka Ishiguro, et al., Gene 91, pages 281-285, 1990.
	"Efficient Homolactic Fermentation by Kluyveromyces lactis Strains Defective in Pyruvate Utilization and Transformed with the Heterologous LDH Gene", Michele M. Bianchi et al., Applied and Environmental Microbiology, pages 5621-5625, December 2001.
	"Replacement of a Metabolic Pathway for Large-Scale Production of Lactic Acid from Engineered Yeasts", Danilo Porro et al., Applied and Environmental Microbiology, vol. 65, no. 9, pages 4211-4215, September 1999.
Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449 Patent and Trademark Office - U.S. Department of Commerce	